

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

POLARIS POWERLED
TECHNOLOGIES, LLC,

Plaintiff,

v.

NINTENDO CO., LTD. and
NINTENDO OF AMERICA INC.,

Defendants.

Case No. 2:22-cv-00386-JLR

**DECLARATION OF DENA CHEN IN
SUPPORT OF NINTENDO'S MOTION TO
STAY CASE PENDING *EX PARTE*
REEXAMINATION**

I, Dena Chen, hereby state as follows:

1. I am an attorney at the law firm Cooley LLP, counsel of record in this action for Defendants Nintendo Co., Ltd. and Nintendo of America Inc. ("Nintendo"). I submit this Declaration in support of Nintendo's Motion to Stay Case Pending *Ex Parte* Reexamination.

2. For U.S. Patent No. 8,223,117, attached as **Exhibit 1** is a true and correct copy of the Order Granting Reexamination, dated January 5, 2023, at Reexamination Control No. 90/019,119.

3. Attached as **Exhibit 2** is a true and correct copy of United States Patent and Trademark Office "*Ex Parte* Reexamination Filing Data," available at: https://www.uspto.gov/sites/default/files/documents/ex_parte_historical_stats_roll_up_21Q1.pdf.

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1 I declare under penalty of perjury of the laws of the United States that the forgoing is
2 true and correct.

3 Dated: January 11, 2023

4 /s/ Dena Chen
5 Dena Chen
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